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TWENTY THIRD CONGRESS.
SECOND SESSION.

IN SENATE.

Monday, February 9, 1835.
EXECUTIVE PATRONAGE.

Substance of Mr. Benton's reply to Mr. Calhoun's Report.
[Concluded.]

Mr. B. then took up the Treasury Report of Mr. Secretary Woodbury, communicated at the commencement of the present session of Congress, and containing income and expenditure for the present year, and also for the year 1835. At pages four and five are the estimates for the present year; the income estimated at \$2,000,000; the expenditures at \$19,683,540; being a difference of only some three hundred thousand dollars between the income and the outlay; and such is the chance for nine millions taken out and two left in, the first year of the heads of expense on which diminutions will probably be made, he computes the income and outlay of the year at about equal, or probably a little surplus to the amount of one million. These are the estimates, said Mr. B., formed upon data, and coming from an officer making reports upon his responsibility, and for the legislative guidance of Congress; and to which we are bound to give credence until they are shown to be incorrect. Here then are the two first years of the eight disposed of, and nothing found in them to divide; the two last years of term could be dispatched even more quickly, said Mr. B., for every body that understands the compromise act of March, 1833, must know that in the two last years of the operation of that act, there would be an actual deficit in the Treasury. Look at the terms of the act! It proceeds by slow and insensible degrees, making slight deductions once in two years, until the years 1841 and 1842, when it ceases crawling, and commences jumping, and leaps down, at two jumps, to twenty per centum on the value of the articles which pay duty, which articles are less than one-half of our importations. Twenty per cent. upon the amount of goods which will then pay duty, will produce but little, say twelve or thirteen millions, upon the basis of sixty or seventy millions of dutiable articles imported then, which only amount to forty-seven millions now. Then there will be no surplus at all for one-half the period of eight years the first two, and the last two. In the middle period of four years there will probably be a surplus of two or three millions; but Mr. B. took issue upon all the allegations with respect to it; as that there was no way to reduce the revenue without disturbing the compromise act of March, 1833; that there was no object of general utility to which it could be applied; and that distribution was the only way to get rid of it.

Equally delusive and profoundly erroneous was the gentleman's idea of the surplus which could be taken out of the appropriations. True that operation could be performed once, and but once. The run of our Treasury payments show that about one quarter of the years expenditure are not paid within the year, but the first quarter of the next year, and thus could be paid out of the revenue received in the first quarter of the next year, even if the revenue of the last quarter of the preceding year was thrown away. But this was a thing which could only be done once. You might rely upon the first quarter, but you could not upon the second, third, and fourth. There would not be a dollar in the Treasury at the end of four years if you deducted a quarter's amount four times successively. It was a case if a homely adage might be allowed, which would well apply—you could not eat the cake and have it too. Mr. B. submitted it then to the Senate, that on the first point of objection to the Report, this issue was maintained. There was no such surplus of nine millions a year for eight years, as had been assumed; nor any thing near it; and this assumption being the corner stone of the whole edifice of the scheme of distribution, it was sufficient to show the fallacy of that data to blow the whole scheme into the empty air.

Mr. B. admonished the Senate to beware of ridicule. To pass a solemn vote for amending the Constitution, for the purpose of enabling Congress to make distribution of surpluses of revenue, and then find no surplus to distribute, might lessen the dignity, and diminish the weight of so grave a body. It might expose it to ridicule, and that was a hard thing for public bodies, and public men to stand. The Senate had stood much in its time; much in the latter part of Mr. Monroe's administration, when the Washington Republican habitually denounced it as a faction, and dis-

played many brilliant essays, written by no mean hand, to prove that the epithet was well applied, though applied to a majority. It had stood much also during the four years of the second Mr. Adams's administration; as the surviving pages of the defunct National Journal could still attest; but in all that time it stood clear of ridicule; it did nothing upon which sneer wit could lay its lash. Let it beware now! for the passage of this amendment may expose it to untold peril; the peril of song and caricature. And who to the Senate, farewell to its dignity, if it once gets into the windows of the print-shop, and becomes the burden of the ballads which the milk maids sing to their cows.

2. Mr. B. took up his second head of objection. The Report affirmed that there was no way to reduce the revenue before the end of the year 1842, without violating the terms of the compromise act of March 1833. Mr. B. said he had opposed that act when it was on its passage, and had then stated his objections to it. It was certainly an extraordinary act, a sort of new constitution for nine years, as he had heard it felicitously called. It was made in an unusual manner, not precisely by three men on an island on the coast of Italy, but by two in some room of a boarding house in this city, and then pushed through Congress under a press of sail, and a duress of feeling, under the factitious cry of dissolution of the Union raised by those who had been declaring, on one hand, that the tariff could not be reduced without dissolving the Union, and on the other, that it could not be kept up without dissolving the same Union. The value of all such cries, Mr. B. said, would be appreciated in future, when it was seen with how much facility certain persons who had stood under the opposite poles of the earth, as it were, on the subject of the tariff, had come together to compromise their opinions, and to lay the tariff on the shelf for nine years! a period which covered two presidential elections! That act was no favorite of his, but he would let it alone; and thus leaving it to work out its design for nine years, he would say there were ways to reduce the revenue, very sensibly, without affecting the terms, or the spirit of that act. And here he would speak upon data. He had the authority of the Secretary of the Treasury (Mr. Woodbury) to declare that he believed he could reduce the revenue in this way, and upon imports, to the amount of five hundred thousand dollars; and he, Mr. B., should submit a resolution calling upon the Secretary to furnish the detail of this reduction to the Senate at the commencement of their next stated session, that Congress might act upon it. Further Mr. B. would say that it appeared to him that the whole list of articles in the fifth section of the act, amounting to thirty or forty in number, and which by that section are to be free of duty in 1842, and which in his opinion might be made free this day, and that not only without injury to the manufacturers, but with such manifest advantage to them, that as an equivalent for it, and for the sake of obtaining it, they ought to forward of themselves, and make a voluntary concession of reductions on some other points, especially on some classes of woollen goods.

Having given Mr. Woodbury's authority for a reduction of \$500,000 on imports, Mr. B. would show another source from which a much larger reduction could be made, and that without affecting this famous act of March, 1833. In another, and a different quarter; it was in the Western quarter; the new States, the PUBLIC LANDS! The act of 1833 did not embrace this source of revenue and Congress was free to act upon it, and to give the people of the new State the same relief on the purchase of the article on which they chiefly paid revenue as it had done to the old States in the reduction of the tariff. Mr. B. did not go into the worn out and exploded objections to the reduction of the price of the lands which the Report had gathered up from their old steeping places, and presented again to the Senate. Speculators, monopolies, the fall in the price of real estate all over the Union; these were exploded fallacies which he was sorry to see paraded here again, and which he should not detain the Senate to answer. Suffice it to say, that there is no application made now, made heretofore, or intended to be made, so far as he knew, to reduce the price of NEW LAND! One dollar and a quarter was low enough for the first choice of new lands; but it was not low enough for the second, third, fourth, and fifth choices! It was not low enough for the refuse lands lands which had been five, ten, twenty, forty years in market and which could find no purchaser at \$1 25, for the solid reason that they were worth but half, the quarter, the tenth part of that sum. It was for such lands that reduction of price was sought, and had been sought for many years, and would continue to be sought until it was obtained; for it was impossible to believe that Congress would persevere in the flagrant injustice of forever refusing to reduce the price of refuse and unsaleable lands to their actual value. The policy of President Jackson, communicated in his message, Mr. B. said, was the policy of wisdom and justice. He was for disposing of the lands more for the purpose of promoting settlements,

and creating freeholders, than for the purpose of exacting revenue from the meritorious class of citizens who cultivate the soil. He would sell the lands at prices which would pay expenses—expenses of acquiring them from the Indians, and surveying and selling them,—and this system of moderate prices with donations, or nominal sales to actual settlers would do justice to the new States, and effect a sensible reduction in the revenue; enough to prevent the necessity of amending the constitution to get rid of nine million surplus! But whether the price of lands was reduced or not, Mr. B. said, the revenue from that source would soon be diminished. The revenue had been exorbitant from the sale of lands for three or four years past. And why? precisely because immense bodies on new lands, and much of it in the States adapted to the production of the great staples which now bear so high a price, have within that period, come into market; but these fresh lands must soon be exhausted; the old and refuse only will remain for sale; and the revenue from that source will sink down to its former usual amount, instead of remaining at three millions a year for nine years, as the Report assumes.

*The resolution has been submitted.

3. When he had thus shown that a diminution of revenue could be effected both on imports, and on refuse and unsaleable lands, Mr. B. took up the third issue which he had joined with the report; namely, the possibility of finding an object of general utility on which the surplus could be expended. The Report affirmed there was no such objects, lie, on the contrary, affirmed that there were such, not one, but several, not only useful, but necessary, not merely necessary, but exigent, not exigent only, but in the highest possible degree indispensable and essential. He alluded to the whole class of measures connected with the general and permanent defence of the Union—In peace, prepare for war! is the admonition of wisdom in all ages and in all nations; and so paid for the neglect of that admonition. She has paid for it in blood, in money, and in shame. Are we prepared now? And is there any reason why we should not prepare now? Look at your maritime coast, from Passamaquoddy Bay to Florida Point; your gulf coast, from Florida Point to the Sabine; your lake frontier in its whole extent! What is the picture? Almost destitute of forts, and it might be said, quite destitute of armament. Look at your armories and arsenals,—too few, too empty,—and the west almost destitute! Look at your militia; many of them mustering with corn stalks; the States deficient in arms, especially in field artillery, and in swords and pistols for their cavalry! Look at our navy; slowly increasing under an annual appropriation of half a million a year, instead of a whole million, at which it was fixed soon after the late war, and from which it was reduced some years ago, when money ran low in the Treasury! Look at your dock-yards and navy-yards; thinly dotted along the maritime coast, and hardly seen at all on the gulf coast, where the whole south, and the great west, so imperiously demands naval protection!—Such is the picture; such the state of our country; such its state at this time, when even the most unobservant should see something to make us think of defence, with which, oh! strange and wonderful contradiction! the administration is now taunted, reproached, reviled, flouted; and taunted by those who go for distribution, and turn their backs on defence! and who complained of the President for leaving us in this condition, when five years ago, in the year 1829, he recommended the annual sum of \$250,000 for arming the fortifications, (which Congress refused to give,) and who now are for taking the money out of the Treasury, to be divided among the People, instead of turning it all to the great object of the general and permanent defence of the Union, for which they were so solicitous so calmorous, so feelingly alive, and patriotically sensitive, even one short month ago.

Does not the present state of the country, said Mr. B. call for defence, and is not this the propitious time for putting it in defence, and will not that object absorb every dollar of real surplus that can be found in the treasury for these eight years of plenty, during which we are to be afflicted with seventy-two millions surplus! Let us see. Let us take one single branch of the general system of defence, and see how it stands, and what it would cost to put it in the condition which the safety and honor of the country demanded. He spoke of the fortifications, and that branch because he had data to go upon; data to which the Senator from South Carolina, the author of this Report, could not object. The design, said Mr. B., of fortifying the coasts of the United States, is as old as the Union itself. Our documents are full of executive recommendations, departmental reports, and reports of committees, upon this subject, all urging this great object upon the attention of Congress. From 1789, through every successive administration, the subject was presented to Congress; but it was only after the late war, and when the evils of a defenceless coast were before the eyes of the people, that the subject was presented in the most impressive,

sive, persevering, and systematic form. An engineer of the first rank (Gen. Barnard) was taken into our service from the school of the great Napoleon. A resolution of the House of Representatives called on the War Department for a plan of defence, and a designation of forts, adequate to the protection of the country; and upon this call, examinations were made, estimates framed, and forts projected, for the whole maritime coast from Savannah to Boston. The result was the presentation, in 1821, of a plan for ninety forts upon that part of the coast; namely, 24 of the first class, 23 of the second, and 43 of the third. Under the administration of Mr. Monroe, the urgent recommendations of the then head of the War Department, (Mr. Calhoun,) the construction of these forts was commenced, and pushed with spirit and activity; but owing to circumstances, not necessary now to be detailed, the object declined in public favor, lost a part of its popularity perhaps justly, and has since proceeded so slowly that, at the end of twenty years from the late war, no more than thirteen of these forts have been constructed; namely, 5 of the first class, 3 of the second, and 2 of the third; and of these thirteen constructed, none are armed; almost all of them are without guns or carriages, and more ready for the occupation of an enemy than for the defence of ourselves. This is the state of the fortifications on the maritime coast, exclusive of the New England coast to the north of Boston, exclusive of Cape Cod, South of Boston, and exclusive of the Atlantic coast of Florida.—The Lake frontier is untouched. The Gulf frontier, almost two thousand miles in length, barely is dotted with a few forts in the neighborhood of Pensacola, New Orleans, and Mobile; and all the rest of the coast may be set down as naked and defenceless. This was our condition. Now Mr. B. did not venture to give an opinion on that the whole plan of fortifications developed in the Reports of 1821, should be carried into effect; but he would say, and that most confidently, that much of it ought to be, and it would be the business of Congress to decide on each fort in making a specific appropriation for it. He would also say, that many forts would be found to be necessary which were not embraced in that plan; for it did not touch the lake coast, nor the New England coast north of Boston, nor any point of the land frontier. Without going into the question at all of how many were necessary, or where they should be placed, it was sufficient to show that there were enough wanting, beyond dispute, to constitute an object of utility, worthy of the national expenditure, and sufficient to absorb, not nine millions of annual surplus, to be sure, but about as many millions of surplus as would ever be found, and the Bank stock into the bargain. The thirteen forts constructed, had cost \$12,113,000; near one million of dollars each. But this was for construction only; the armament was still to follow, and for this object \$2,000,000 were estimated in 1821 for the ninety forts then recommended, and of that two millions it may be assumed that but little has been granted by Congress. So much for fortifications; in itself a single branch of defence sufficient to absorb many millions.

There were many other branches of defence which Mr. B. would barely enumerate. There was the navy, including its gradual increase; its dock yards, and navy yards; then the armories and arsenals, which were so much wanted in the South West, and especially in the South; for a reason, (besides those which apply to foreign enemies,) which need not be named; then the supply of arms to the States, especially field artillery, swords and pistols, for which an annual, but inadequate appropriation had been made for so long a time, that he believed the States had almost forgot the subject. Here are objects enough, Mr. President, exclaimed Mr. B. to absorb every dollar of our surplus, and the Bank stock besides. The surplus he was certain, would be wholly insufficient, and the Bank stock, by a solemn resolution of the two Houses of Congress, should be devoted to the object. As a fund was set apart, and held sacred and inviolable, for the payment of the public debt, so should a fund be now created for national defence, and this Bank stock should be the first and most sacred item put into it. It is the only way to save that stock from becoming a prey of incessant contrivances to draw money from the Treasury. Mr. B. said that he intended to submit the resolutions, requesting the President to cause to be communicated to the next Congress full information upon all the points that he had touched, the probable revenue and expenditure for the next eight years, the plan and expense of fortifying the coast, the navy and every other point connected with the general and permanent defence of the Union, with a view to let Congress take it up, upon system, and with a design to complete it without further delay. And he de-

*The resolutions, embracing twelve heads of inquiry, have been submitted. They are the following:

Resolved, That the President be requested to cause information to be laid before the Senate at the commencement of the next session of Congress, on the following points:

1. The amount of revenue which may be reduced on dutiable articles, without effecting the protection intended to be continued by the act of March 24, 1833, to domestic manufactures.

2. The amount of net revenue which will probably be

received from customs from 1830 to 1842 inclusive.

3. The amount of revenue which will probably be received from public lands for the same period, if no change takes place in the price of lands.

4. The amount of revenue from the same source, if the price of lands should be reduced, and the lands should be disposed of as to promote the settlement of the country, and should cease to be a source of revenue, except to defray the expense of their management, and of extinguishing the Indian titles.

5. The times and proportions in which the amount of stock held in the Bank of the United States will probably be returned to the Treasury, if no act is passed by Congress for the sale of said stock.

6. The probable amount of the expenditures of the Government annually, to the end of the year 1842.

7. The state of the fortifications, so as to show the number of forts of the first, second, and third classes, now constructed in the United States; the number heretofore proposed and recommended by the War Department, but not yet constructed; and the number which would probably be necessary to the complete and adequate defence of the lake, maritime, and gulf frontiers of the United States, and such points of the land frontier as may be believed to require permanent fortifications.

8. The amount expended since 1816, in constructing forts, and the amount that would be necessary, to complete the construction of the entire system of permanent fortifications for the United States.

9. The amount which has been expended since 1816, in providing for the fortifications, and the amount which would probably be necessary to complete the armament of all fortifications required for the defence of the United States.

10. The amount which would probably be necessary to construct an adequate number of armories and arsenals in the United States, and to supply the States with field artillery—especially brass pieces—for their militia, and with side arms and pistols for their cavalry.

11. The amount expended, since 1816, in the gradual increase of the navy; on navy yards and dock yards; and the amount necessary to be expended on each of these objects, to place the naval defence of the United States, upon the footing of strength and respectability which is due to the security and welfare of the Union.

12. And that the President be requested to cause to be communicated to the Senate, at the same time, any other information connected with the revenue and expenditure of the government, and with the defence of the Union, which shall come within the scope of the foregoing inquiries, or which in his judgment shall be necessary to be communicated.

manded, why hurry on this amendment before that information can come in?

Now is the auspicious moment, said Mr. B., for the Republic to rouse from the apathy into which it has lately sunk upon the subject of national defence. The public debt is paid; a sum of six or seven millions will come from the Bank; some surpluses may occur; let the national defence become the next great object, after the payment of the debt, and all money go to that purpose. If further stimulus were wanted, it might be found. In the present aspect of our foreign affairs, and in the reproaches, the taunts, and in the offensive insinuations which certain gentlemen have been indulging in for two months with respect to the defenceless state of the coast and which they attribute to the negligence of the administration. Certainly such gentlemen will not take that money for distribution, for the immediate application of which their defenceless country is now crying aloud, and stretching forth her imploring hands.

Mr. B. would here avail himself of a voice more potent than his own, to enforce attention to the great object of national defence, the revival of which he was now attempting. It was the voice which the Senator from South Carolina, the author of this proposition, to squander in distributions the funds which should be sacred to defence, would instantly recognize. It was an extract from a message communicated to Congress, Dec. 31, 1822, by President Monroe. "Whether considered under the relation of similarity which it bears to the language and sentiments of contemporaneous Reports from the then head of the War Department, the position which the writer of those Reports then held in relation to President Monroe, the right which he possessed, as Secretary at War, to know, at least, what was put into the message in relation to the measures connected with his Department;—considered under any, and all of these aspects, the extracts which he was about to read, might be considered as expressing the sentiments, if not speaking the words, of the gentleman who now sees no object of utility in providing for the defence of his country, and who then plead the cause of that defence with so much truth and energy, and with such commendable excess of patriotic zeal."

Mr. B. then read as follows:—"Should war break out in any of those countries, (the European,) who can foretell the extent to which it may be carried, or the desolation which may spread? Exempt as we are from these causes, (of European civil wars,) our internal tranquility is secure; and distant as we are from the troubled scene, and faithful to just principles, in regard to other Powers, we might reasonably presume that we should not be molested by them. This, however, ought not to be calculated on as certain. Unprovoked injuries are often inflicted, and even the peculiar felicity of our situation might, with some be a cause for excitement and aggression. The history of the late wars in Europe furnishes a complete demonstration that no system of conduct, however correct in principle, can protect neutral Powers from injury from any party; that a DEFENCELESS POSITION and distinguished love of peace, are the surest invitations to war: that there is no way to avoid it, other than by being always PREPARED, and willing, for just cause, to meet it. If there be a people on earth, whose more especial duty it is to be, AT ALL TIMES, prepared to defend the rights with which they

received from customs from 1830 to 1842 inclusive.

3. The amount of revenue which will probably be received from public lands for the same period, if no change takes place in the price of lands.

4. The amount of revenue from the same source, if the price of lands should be reduced, and the lands should be disposed of as to promote the settlement of the country, and should cease to be a source of revenue, except to defray the expense of their management, and of extinguishing the Indian titles.

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